

1           IN THE CIRCUIT COURT OF THE STATE OF OREGON

2           FOR THE COUNTY OF MULTNOMAH

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7           JOANN WILLIAMS-BRANCH,                 )  
8           Personal Representative for         )  
9           the Estate of Jessie D.                 )  
10          WILLIAMS, deceased,                     )  
11   )  
12          Plaintiff,                                 )  
13          vs.   )  
14   ) No. 9705-03957  
15          PHILIP MORRIS, INC., PHILIP         )  
16          MORRIS COMPANIES, INC., and         )  
17          FRED MEYER, INC.,                         )  
18          Defendants.                                 )

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15           DEPOSITION OF MAYOLA WILLIAMS

16           Taken in behalf of Defendants

17           Wednesday, September 2, 1998

18           Volume II

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1           BE IT REMEMBERED THAT, pursuant to Oregon Rules

2 of Civil Procedure, the deposition of MAYOLA WILLIAMS  
3 was taken before Lisa J. Pace, Certified Shorthand  
4 Reporter for Oregon, on Wednesday, September 2, 1998,  
5 commencing at the hour of 9:13, the proceedings being  
6 reported in the law offices of Swanson, Thomas &  
7 Coon, Portland, Oregon.

8 \* \* \*

9 A P P E A R A N C E S

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31 Also Present: Joann Williams-Branch  
32

\* \* \*

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1 MAYOLA WILLIAMS  
2 having first been sworn or affirmed, was examined and  
3 testified under penalties of perjury as follows:  
4  
5 MR. GAYLORD: Let me say a couple things on the

6 record as we just get started. One is I'm just  
7 saying this now because I tend to forget otherwise.  
8 I don't know what the reporter's habit is for  
9 stipulations and so forth, but we do not waive  
10 reading and signing of the transcripts, so you know  
11 that.

12 MR. DUMAS: You do not waive?

13 MR. GAYLORD: Do not waive.

14 MR. THOMAS: And in regard to the depositions of  
15 Glenn and Freda yesterday, I'd like to read and sign  
16 for both of those and request that the correction  
17 sheets in the depositions be sent to me, please.

18 MR. GAYLORD: Just to preface today, of course,  
19 I'm sure everybody's aware, but the record should  
20 make clear this is a continuation of the deposition  
21 of Mayola Williams under circumstances of the Court's  
22 order for some limited additional discovery. And  
23 we've all got copies of it and I'm not going to make  
24 any speeches about what those limits are unless we  
25 get to the point where we need to draw the lines.

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1 But that's what we're here for.  
2

3 EXAMINATION

4 BY-MR. RANDLES:

5 Q. Ms. Williams, we've met before.

6 A. Yes.

7 Q. You recall I asked you some questions at a previous  
8 deposition?

9 A. Yes.

10 Q. And as your attorney has stated, this is a  
11 continuation of a deposition pursuant to the judge's  
12 order to pursue some lines of questioning that your  
13 attorney cut off at the prior deposition. And I will  
14 certainly do my best not to be repetitious in any  
15 way.

16 I just want to remind you the same rules apply  
17 as at the last deposition. You've affirmed to tell  
18 the truth. If you don't understand any of my  
19 questions, please stop me and I will repeat them or  
20 rephrase them. All right?

21 A. Yes.

22 Q. You need to make sure that where appropriate you  
23 provide verbal "yes" or "no" answers to the reporter,  
24 because it's hard for the reporter to take down nods  
25 or something like that. And of course if you need a

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1 break, just let me know and we'll take it.

2 Are you taking any medication today that would  
3 impair your memory or ability to answer my questions  
4 fully?

5 A. No.

6 Q. Do you know of any reason why you would be unable to  
7 answer my questions fully and completely today?

8 A. No.

9 Q. All right. Just one preliminary matter. Your  
10 lawyer's made available to us several bound volumes  
11 of Jehovah's Witness publications. Do you know what

12                   I'm referring to?

13       A.   Yes.

14       Q.   And a number of those were bound by year, like all of

15                   the publications of Awake for a year or Watchtower

16                   for a year. Have I stated that correctly?

17       A.   Yes.

18       Q.   Where did you get those volumes?

19       A.   From the society.

20       Q.   Do you order them from the society and they sent them

21                   to you?

22       A.   Yes.

23       Q.   All right. Did you get all of those volumes new from

24                   the society?

25       A.   Yes.

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1       Q.   Okay. And were those volumes used for you and your

2                   family's personal studies?

3       A.   No. They were used for my personal studies.

4       Q.   All right. Did any of your other family members ever

5                   use the bound volumes?

6       A.   Not that I know of.

7       Q.   Did you ever discuss the contents of the bound

8                   volumes with your family members?

9       A.   No, not the bound volumes. No.

10      Q.   Would it be correct to state that you got the bound

11                   volumes at the end of the year and the particular

12                   issues within them as the year went on? In other

13                   words, you would get the individual volumes before

14                   you would get the bound volumes?

15 A. Yes.

16 Q. Thank you. Would your family members study the  
17 individual volumes as the year went on?

18 A. I'm sure they read them, some of my family.

19 Q. Now, all the questions I ask you today unless I  
20 specify otherwise are limited to the time period  
21 before your husband's death. All right?

22 A. Would you repeat.

23 Q. Sure. All of the questions I'm going to ask you for  
24 the remainder of today unless I specifically state  
25 otherwise are limited to the time period before your

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1 husband's death. All right?

2 A. Yes.

3 Q. And I'm not asking for any information after your  
4 husband's death. All right?

5 A. Right.

6 MR. GAYLORD: Let me just comment, though. I  
7 appreciate what you're saying, Counsel. I think it  
8 would still be appropriate to phrase the questions in  
9 the proper time context because otherwise it's going  
10 to be confusing.

11 MR. RANDLES: I don't think it will. If it  
12 comes up, we will. You will note that I'm going to  
13 attempt to use past tense verbs throughout to help  
14 clarify that. I'm not calling for present  
15 understanding, again, pursuant to the Court's order.

16 Q. Did the Jehovah's Witness fellowship teach that  
17 cigarette smoking was addictive or an addiction?

18 A. No. They didn't teach that it was. There have been  
19 articles where -- that they've quoted other people as  
20 saying it was addictive.

21 Q. Did you believe, again, prior to your husband's  
22 death, that cigarette smoking was an addiction?

23 A. I did, yes.

24 Q. When did you first come to that belief?

25 A. From hearing it on the radio or television or reading

1 a newspaper.

2 Q. Was there a point in time where you became convinced  
3 that cigarette smoking was an addiction or addictive?

4 A. No, there wasn't. I went along with the general  
5 public in believing what they heard on the radio or  
6 TV.

7 Q. Have you believed that cigarette smoking is an  
8 addiction for basically as long as you can remember?

9 A. No.

10 Q. Do you remember when you came to that belief?

11 A. No.

12 Q. Do you remember if it was in the 1960s?

13 A. I can't remember dates.

14 Q. Let me be clear. I'm not asking for a date now, I'm  
15 just asking for a decade. Would it have been within  
16 the 1960s?

17 A. I can't remember that.

18 Q. Do you remember if it would have been before the  
19 1980s?

20 A. Probably, yes.

21 Q. Do you remember if it would have been before the  
22 1970s?

23 A. I can't say that.

24 Q. All right. Do you remember where you first saw  
25 publications stating that smoking was addictive?

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1 A. What publication are you referring to?

2 Q. You stated my question better than I did. I'll try  
3 again.

4 Do you remember in what publications you first  
5 saw articles about the addictive nature of smoking?

6 A. Probably something like the -- I can't remember that  
7 little magazine. I can't remember the name of it,  
8 but it's a well-known magazine.

9 Q. A magazine like in the popular literature?

10 A. Yeah.

11 Q. Would it have been Reader's Digest?

12 A. I read Reader's Digest. Could have been that, but I  
13 can't remember.

14 Q. Some magazine in the popular literature?

15 A. Some magazine. Yeah, I was in a doctor's office and  
16 reading magazines, and I saw. That's the first time  
17 I remember reading it in a magazine. But then  
18 basically I got my knowledge from television or  
19 radio.

20 Q. Do you remember what doctor's office you were in when  
21 you read that?

22 A. My doctor's office, Dr. -- Well, not the doctors.  
23 The clinic, yeah, I remember what clinic I was in.

24 Q. Okay. Which one was that?

25 A. It was called Bodine Clinic at the time.

1 Q. Did you call your husband's attention to that  
2 article?

3 A. No.

4 Q. When did you first discuss with your husband the  
5 addictive nature of smoking?

6 A. I can't remember.

7 Q. Do you remember if it was before the 1980s?

8 A. I can't remember.

9 Q. Do you remember if it was before or after he was  
10 disfellowshipped?

11 A. Basically, after he was disfellowshipped. That's the  
12 most time I mentioned it to him.

13 Q. What did you tell him when you mentioned that to him?

14 A. I just told him that he smoked too much and that  
15 it's -- was bad for his health and he shouldn't  
16 smoke. And also was bad for my health.

17 Q. And what did he say?

18 A. He said, well, he just said, phooey.

19 Q. Indicating he didn't want to talk about it?

20 A. Right.

21 Q. All right. Did you talk to him about that same issue  
22 on subsequent occasions?

23 A. Yeah, we've discussed it.

24 Q. I'm sorry. I didn't mean to cut you off.

25 A. That's it.

1       Q.     Okay. You discussed it. What would his response  
2            typically be?

3       A.     Just like, you know, shrug it off. He didn't believe  
4            that it was addictive. He believed what tobacco  
5            companies said about it and I believed what the  
6            government had to say about it.

7       Q.     Did he ever tell you he believed what the tobacco  
8            companies said?

9       A.     Well, he believed the tobacco companies when they  
10           wouldn't sell tobacco if it wasn't hurting people or  
11           harm people. That's how strongly he believed. He  
12           didn't believe that the company would sell something  
13           that was going to harm him.

14      Q.     And that's what he would say to you?

15      A.     That's what he would say to me.

16      Q.     Did he ever point to any specific tobacco company  
17           statements when he said that?

18      A.     No. He was just talking about tobacco that he smoked  
19           at the time. I guess that was his reference to what  
20           he was smoking.

21      Q.     So let me see if I understand. His response would be  
22           that they wouldn't sell it if it was dangerous or  
23           addictive?

24      A.     Yeah, he didn't believe that they would.

25      Q.     I see. Did you ever point out the warnings on the

1           packs to him?

2       A. Yes, we have, we talked about that.

3       Q. And do you recall that one of the warnings on the  
4           pack specifically warned that smoking could cause  
5           lung cancer?

6       A. No, there was no such -- I never saw that on the  
7           package. I only saw there -- where it says surgeon  
8           general warrants that it's against your health, that  
9           it would be harmful to your health.

10      Q. Let's start with that one. I'll represent to you  
11           that warning on a pack in 1960, the one that says  
12           "may be hazardous to your health" in 1966, and the  
13           one that says "is dangerous to your health" in 1970.

14      A. That's the one.

15      Q. When you would point that warning out to him, warning  
16           that the surgeon general has determined that  
17           cigarette smoking is dangerous to your health, what  
18           would he say?

19      A. He would say that doesn't -- that it didn't affect  
20           him because, you know, he wasn't -- it didn't --  
21           because it just didn't say that it would give him  
22           cancer. I wasn't talking to him about saying it's  
23           dangerous to your health. I would say, you're going  
24           to get cancer. And he would say, it doesn't say that  
25           you're going to get cancer.

1       Q. Okay. Let's move forward in time a bit. In 1985,  
2           one of the warnings on the pack said: "Surgeon  
3           General's warning: Smoking causes lung cancer, heart

4 disease, emphysema and may complicate pregnancy."

5 Did you ever discuss that warning with him?

6 A. I've talked to him about it.

7 Q. And what would he say about this warning which

8 specifically says "smoking causes lung cancer"?

9 A. As I said before, he didn't believe that tobacco  
10 companies would sell anything that would cause harm  
11 to people. Just like, you know, he doesn't believe  
12 that, you know, like this food that we buy, or  
13 medication that we take, he has a firm belief that no  
14 company would sell something that's going to hurt  
15 you.

16 Q. Even though it says on the pack smoking can cause  
17 lung cancer, you're saying he was aware of that but  
18 did not believe it?

19 MR. GAYLORD: Objection; argumentative.

20 A. He wasn't aware of that. I didn't say that he was  
21 aware that it said it on the package. You asked me  
22 did I discuss it with him, and I told you I had.

23 Q. All right. So you discussed the fact that the  
24 warning says smoking can cause lung cancer, correct?

25 A. Yes, I have.

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1 Q. And he said, well, I don't believe that; is that  
2 correct?

3 A. Well, not in those words, but --

4 Q. What words did he use --

5 A. -- basically.

6 Q. -- to the best of your recollection?

7 A. I cannot remember.

8 Q. Did you at all times agree with all Jehovah's Witness

9 teachings about smoking?

10 A. I believe in Jehovah's teachings about religious

11 matters, all of what they teach about religious

12 matters. And smoking is not a religious matter, so I

13 didn't have to believe or not to believe.

14 Q. I'm asking whether you believed, though.

15 A. That I believed that -- Repeat it.

16 Q. Did you agree with all of the Jehovah's Witness

17 organization's teachings about smoking at all times?

18 MR. GAYLORD: Object to the form of the

19 question.

20 A. Yes, I believe what they wrote was true, because some

21 of the things that they wrote was quoted by other

22 people who, doctors and different ones, who had

23 researched into this subject about tobacco being

24 addictive. So what they wrote, I believed.

25 Q. Did Mr. Williams agree with all the Jehovah's Witness

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1 teachings about smoking?

2 MR. GAYLORD: Object to the form of the

3 question.

4 A. My husband didn't believe -- if he had -- he didn't

5 believe, no.

6 Q. Which Jehovah's Witness teachings about smoking are

7 you aware of that he did not believe?

8 A. Which -- I didn't get you.

9 Q. Okay. Try again. Which Jehovah's Witness teachings

10 about smoking are you aware of that he did not  
11 believe?

12 A. He just didn't believe about smoking was going to be  
13 harmful to him, whether Jehovah's Witnesses or  
14 anybody, he just didn't believe that the tobacco  
15 companies would put out a drug that would harm him.  
16 That's it.

17 Q. So even though his church taught it was harmful, he  
18 didn't believe that because he believed more in the  
19 tobacco companies?

20 MR. GAYLORD: Object to the form of the  
21 question, it's argumentative.

22 Q. You can answer.

23 A. My husband was disfellowshipped from Jehovah's  
24 Witnesses. Okay. So after he was disfellowshipped  
25 from the Jehovah's Witnesses, he didn't read the

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1 literature any more. So therefore, whatever they  
2 taught didn't apply to him.

3 Q. Do you recall testifying in your prior deposition  
4 that he read the Jehovah's Witness literature  
5 regularly up until his death?

6 A. I don't remember that.

7 Q. You recall providing testimony under oath on April 6,  
8 1998 with me asking you questions, correct?

9 A. If you say that's the date, I don't remember the  
10 date.

11 Q. But you remember --

12 A. I remember going -- doing this with you before.

13 Q. And do you remember testifying in your prior  
14 deposition --

15 MR. THOMAS: Could we get a cite, please,  
16 Counsel.

17 MR. RANDLES: Sure. Page 15, starting at line  
18 20.

19 Q. "Is it your regular practice to basically read those  
20 publications cover to cover?

21 Answer: Yes.

22 Question: Was that Mr. Williams' regular  
23 practice?

24 Answer: Yes.

25 Question: And, again, beginning in 1962, was --

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1 did there ever come a point in time where he stopped  
2 reviewing those magazines cover to cover?

3 Answer: He always read those magazines, but he  
4 didn't always read them from cover to cover after  
5 awhile.

6 Question: When do you think he stopped  
7 reviewing them cover to cover?

8 Answer: After he no longer -- he couldn't stop  
9 smoking, so he, you know -- during the years he kind  
10 of stopped reading them from cover to cover, but he  
11 read them all the time.

12 Question: Did he read them up until his death?

13 Answer: Yes."

14 Was that testimony true and accurate --

15 A. That testimony --

16                   MR. GAYLORD: Are you finished?  
17                   MR. RANDLES: Yes.  
18                   MR. GAYLORD: I object to the form of the  
19                   question. We're not here for cross-examination of  
20                   this witness on prior testimony. This is supposedly  
21                   a continuation of the same deposition on new  
22                   material. I'm going to say that.

23                   If we go any further along these lines, we're  
24                   going to have a problem.

25                   MR. RANDLES: I hadn't anticipated having this

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1                   problem at all.

2       Q.   Was that testimony true and correct when you gave  
3                   it?

4       MR. GAYLORD: Well, don't answer that.

5                   [INSTRUCTION-BY-COUNSEL]

6       THE WITNESS: Okay.

7       MR. GAYLORD: That's an attempt to impeach her  
8                   within this deposition on something that you haven't  
9                   even put in front of her or given her a chance to  
10                  review in preparation for your questions about it.

11                  If you want to ask her if there's an  
12                  inconsistency or what her explanation is, go ahead.

13       Q.   Well, I don't agree with you.

14                  But in the interest of moving forward and  
15                  without waiving the right to come back and ask that  
16                  question, I will say, do you disagree with that  
17                  testimony that I just read?

18       A.   Not that it was he being inconsistent -- that he read

19           it all the time like you just said he did, no. He  
20           did read them throughout his life, but he didn't read  
21           certain articles in the magazines. He read certain  
22           articles and certain articles he didn't, and tobacco  
23           smoking was not one of the articles he chose to read.  
24       Q.   Did he tell you he was avoiding reading articles  
25           about tobacco?

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1       A.   No, he just didn't do it. He was a person that  
2           didn't believe in reading about something that he  
3           liked doing or that he did, that he was addicted to  
4           doing. Excuse me for saying like, because he didn't  
5           like it, he hated it. But he was addicted to it and  
6           he didn't like to be reminded of it.

7       Q.   Is that why he continued to smoke, because he was  
8           addicted to it?

9       A.   Yes, for my opinions, yes, I'm sure.

10      Q.   Was there any other reason he continued to smoke?

11      A.   No.

12      Q.   Did he ever mention any other reason to you?

13      A.   No.

14      Q.   Was there any source of information Mr. Williams  
15           placed more confidence in than the Jehovah's Witness  
16           teachings?

17      A.   You know, I don't really know what my husband -- I  
18           know what he believed in, but I don't know what he  
19           believed in more or less. I just know about the  
20           religion belief is what I believe in, and not my  
21           husband, deep belief in the religion.

22 Q. Did he talk to you about his religious beliefs in  
23 depth?

24 A. When we -- when we first got involved with the  
25 religion we talked about it in depth, yes.

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1 Q. Over time, now, I'm going to cut off, I'm going to  
2 ask now before he was fellowshipped. During the  
3 period of time before he was disfellowshipped but  
4 after you joined the church, did your discussions  
5 about religious belief increase or decrease?

6 A. Mine increased, his apparently decreased.

7 Q. Okay. Did your discussions with him during that  
8 period of time increase or decrease?

9 A. I don't know what you mean.

10 MR. GAYLORD: I'm sorry. I object to the form  
11 of the question.

12 Q. Was that unclear?

13 MR. GAYLORD: Was that discussions in general?  
14 Did she talk to her husband more?

15 Q. Let me rephrase, that's not a good question.

16 You said that when you first joined the church,  
17 you and he talked with each other about your  
18 religious beliefs in some detail; is that right?

19 A. Yes.

20 Q. Now, from that period of time until the time he was  
21 disfellowshipped, did you talk with your husband  
22 about his religious beliefs more or less?

23 A. Less.

24 Q. Once he was disfellowshipped, did you talk with your

1                   less?

2       A.    You just asked that and I told you.

3       Q.    No, ma'am. Maybe I wasn't clear. I'm talking about  
4                   two different time periods. I think you just  
5                   testified, and if I'm wrong please stop me, that from  
6                   the time you all joined the Jehovah's Witness church  
7                   until he was disfellowshipped, your discussions about  
8                   his religious beliefs got to be less; is that right?

9       A.    I don't understand.

10      Q.    Okay. Let me try again. I'm dividing the time here  
11                  and I'm using the time he was disfellowshipped as our  
12                  division in time. All right?

13                  Now, starting from when you and your husband  
14                  were discussing joining the Jehovah's Witness  
15                  fellowship in 1962, I believe you testified --

16      A.    Yes.

17      Q.    -- until the time he was disfellowshipped, just  
18                  thinking of this period of time, did your discussions  
19                  about his religious beliefs increase or decrease over  
20                  time from 1962 till whenever the time of his  
21                  disfellowship was?

22                  MR. GAYLORD: Object to the form of the  
23                  question.

24                  Go ahead.

25      Q.    You may answer.

1       A.    Before he got disfellowshipped we talked about it  
2              more. After he got disfellowshipped, we discussed it  
3              less because I was not supposed -- I am not supposed  
4              to discuss the religious matters with a  
5              disfellowshipped person, so I didn't.

6       Q.    Okay. Before he was disfellowshipped, did you feel  
7              you had a pretty good understanding of what his  
8              personal religious beliefs were?

9       A.    Yes.

10      Q.    After his disfellowship, did you feel that you had a  
11              pretty good understanding of what his personal  
12              religious beliefs were?

13      A.    Not sure.

14      Q.    All right. Now, from the period of time when you  
15              joined the Jehovah's Witness fellowship until he was  
16              disfellowshipped, would you and he discuss what the  
17              Jehovah's Witness fellowship taught about smoking?

18      A.    No.

19      Q.    Was that because he didn't want to talk about it?

20      A.    No. We just didn't discuss religious matters on  
21              smoking or certain subjects that was taught by the  
22              religion. We don't just go in and bring up a subject  
23              of, well, let's talk about smoking today or  
24              whatever. We didn't do that.

25      Q.    Did you talk about it when there would be an article

1              in Watchtower or Awake about smoking that week?

2       A.    No.

3 Q. Why not?

4 A. It wasn't an issue.

5 Q. Did you talk about matters discussed in other

6 articles in Watchtower and Awake during the --

7 A. This is all prior to his disfellowship, I take it.

8 Q. Yes, ma'am.

9 A. Well, that wasn't an issue, that wasn't an issue.

10 Q. You said there wasn't an issue?

11 A. No, for us to discuss smoking or not.

12 Q. Let me see if I understand. If there was an article

13 in Watchtower or Awake --

14 A. We did not discuss it. There was so many articles in

15 our publications that has more important values to

16 discuss than just talking about smoking.

17 Q. And so you didn't discuss the smoking articles either

18 at church or in your home prior to his disfellowship?

19 A. No.

20 Q. Why did you elect not to discuss the smoking

21 articles?

22 A. We didn't elect to. It just wasn't an article, an

23 issue that we thought it was necessary to discuss, so

24 we didn't. If I read it or we read it, well, it

25 wasn't -- we didn't just sit down and discuss what we

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1 read. That was something we did, we just read it.

2 Q. So would you and he sit down and regularly discuss

3 other articles --

4 A. No.

5 Q. -- in the Watchtower or Awake?

6       A.     We never did do that.  We have -- We used the  
7                      Watchtower magazine for our religious teachings to  
8                      study the Bible, as a Bible aid.  So that's what we  
9                      did together with our family.  We studied the Bible,  
10                  the Bible aid studies to study the Bible, not discuss  
11                  articles that was, you know, such things, smoking and  
12                  other articles that didn't have to do with teachings  
13                  from the Bible.

14      Q.     When you went to the fellowship meetings, did they  
15                  discuss articles in both Awake and Watchtower or just  
16                  Watchtower?

17      A.     I can't remember.

18      Q.     Do you remember if they ever discussed articles from  
19                  Awake at the fellowship meetings?

20      A.     Would you --

21      Q.     Do you remember if, again, prior to your husband's  
22                  death, if at meetings of your congregation articles  
23                  in the Watchtower were ever the subject of  
24                  discussion?

25      A.     The Watchtower?

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1       Q.     The Watchtower.

2       A.     Yeah, it's a subject of discussion.  We have it in  
3                  our once-a-week discussion.

4       Q.     And were articles from the Awake magazine ever the  
5                  subject of discussion?

6       A.     No.

7       Q.     Never?

8       A.     Never.

9 Q. Why not?

10 A. Because that's just a magazine that we have that we  
11 give this information on what's going on in the  
12 world, basically, and it doesn't have anything to do  
13 with our religious teachings from the Bible.

14 Q. Did the Jehovah's Witness publications over the years  
15 essentially take the position that a person should  
16 not trust what the tobacco industry says?

17 A. I've never read anything like that.

18 Q. Never read an article suggesting that?

19 A. No.

20 Q. Isn't it fair to say that Jehovah's Witness  
21 literature has been consistently critical of the  
22 tobacco industry over the years?

23 MR. GAYLORD: Object to the form of the  
24 question.

25 A. I would not say that, no.

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1 Q. Well, has the tobacco industry been portrayed  
2 favorably in Jehovah's Witness publications over the  
3 years?

4 A. As I said before, the subject that you've read  
5 concerning tobacco in those publications that I let  
6 you have, that is -- those are articles that they  
7 let -- inform us, keeping us informed of things  
8 that's happening in the world. So whether it be  
9 tobacco or whether it be food or illness or  
10 whatever -- not that's going on. They inform us that  
11 things that we -- that's going on in the world and

12                   that we should be aware of things that's going on.

13       Q.     All right. And as part of that information process,

14                   would you say that the articles portray the tobacco

15                   industry in a positive light?

16                   MR. GAYLORD: I'm going to object to the form of

17                   the question.

18       A.     That is something I don't know -- don't know how to

19                   answer.

20       Q.     Well, have you ever heard any Jehovah's Witness

21                   publications with articles to the effect of, clearly,

22                   the cold-blooded, avaricious tobacco industry cares

23                   little how many smokers get lung cancer as long as it

24                   makes profits? Do you recall reading statements like

25                   that?

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1                   MR. GAYLORD: Object to the form of the

2                   question.

3       A.     I don't remember reading it. Did you read it?

4       Q.     Well, it's my turn to ask questions.

5       A.     Well --

6       Q.     I mean, isn't it fair to say that the Jehovah's

7                   Witness publications over the years taught that the

8                   tobacco industry was not to be trusted?

9                   MR. GAYLORD: Object to the form of the

10                  question, also asked and answered.

11       Q.     You can answer.

12       A.     I don't know how to answer that, because I don't

13                  understand it.

14       Q.     Okay. Well, I'll try to state it in a different way

15           then. Isn't it fair to say the Jehovah's Witness  
16           publications over time have described the tobacco  
17           industry as deceptive?

18       A. Well, they have quoted what they read and what they  
19           found out about tobacco companies, yes. And if  
20           that's -- if that means tobacco company is being  
21           deceptive, well, that's what they published.

22           MR. GAYLORD: By the way, if you're worried  
23           about hearsay objections, we'll stipulate to the  
24           truth of those statements.

25           MR. RANDLES: You're always helpful.

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1       Q. Isn't it also fair to say that over time Jehovah's  
2           Witness publications have attacked tobacco company  
3           advertising as misleading and deceptive?

4       A. I don't recall Jehovah's Witnesses attacked anybody  
5           for any subject or anything.

6       Q. I don't want to quibble with you over words, so I'll  
7           try to rephrase. Isn't it fair to say the Jehovah's  
8           Witness publications have described tobacco industry  
9           advertising as deceptive and misleading?

10      A. Yes, because they're -- Yes.

11      Q. And that's been your understanding and belief  
12           regarding the tobacco industry for many years, hasn't  
13           it?

14      A. In my eyes, yes.

15      Q. Did you ever discuss your belief the tobacco industry  
16           was deceptive and not to be trusted with your  
17           husband?

18 A. No, I never.

19 Q. You never brought it up when he would say to you,  
20 well, I'm sure they wouldn't sell it if it was going  
21 to hurt me? You wouldn't say, you can't trust those  
22 people?

23 A. No, I never said anything like that.

24 Q. Did he ever tell you that he thought the tobacco  
25 industry was trustworthy and reliable?

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1 A. Yeah, he thought so.

2 Q. What would he specifically say about that?

3 A. I don't know the exact words, but he thought they  
4 were. As I said before, that's how he felt.

5 Q. Did you ever talk to your children about what you  
6 were reading in the fellowship publications?

7 A. Yeah, we've talked about certain things. Yeah.

8 Q. And before your husband was disfellowshipped, would  
9 you talk to your children about what you read in the  
10 publications in his presence?

11 MR. GAYLORD: Excuse me. I guess I'm going to  
12 just make an inquiry. What would you claim for how  
13 this is within either the scope of discovery or the  
14 scope of the Court's order for continuation of this  
15 deposition?

16 MR. RANDLES: Well, her order specifically says  
17 their awareness of church publications or other  
18 information regarding the hazards of smoking  
19 available to decedent, also their beliefs regarding  
20 smoking or the hazards of smoking in decedent's

21 lifetime. So that's a threshold question as to  
22 whether to discuss the material --

23 MR. GAYLORD: My concern is what's the children  
24 got to do with Mayola's belief about that?

25 MR. RANDLES: Available to --

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1 MR. GAYLORD: Let's see where you go. I'm not  
2 going to say anything at this point.

3 MR. RANDLES: I'm getting into family  
4 discussions.

5 Would you read back my prior question.

6 [The reporter read as requested]

7 A. I have at times, yes.

8 Q. And did he ever indicate any disagreement with  
9 statements he read in Jehovah's Witness publications  
10 during those conversations?

11 A. No. My husband didn't talk, discuss things about  
12 disbelief or belief, he just -- sometimes he'd listen  
13 and sometime he wouldn't. That's just the way he  
14 was.

15 Q. You testified to us previously that Jehovah Witnesses  
16 always opposed smoking but began prohibiting members  
17 from smoking in the 1970s; is that correct?

18 [Mr. Thomas left the room]

19 A. That's to my belief, yes.

20 Q. What did the fellowship teach regarding smokers'  
21 abilities to quit smoking?

22 A. That it was -- from the Bible view, it's -- it's  
23 filthy and we're not supposed to use anything that's

filthy or to fill your body with filth, and tobacco  
smoke is filthy.

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[Mr. Thomas entered the room]

2 Q. Did you ever hear or read anything to the effect that  
3 the smoker can break the tobacco habit through faith,  
4 prayer and the holy spirit?

5 A. Have I ever heard of that?

6 Q. Yes, ma'am.

7 A. No, not that I can remember.

8 Q. You don't remember your fellowship ever teaching that  
9 a smoker through prayer could quit smoking?

10 A. I remember they -- that people have done this, became  
11 Jehovah's Witnesses and then they stopped smoking  
12 because they believed in what the Jehovah's Witnesses  
13 teach. But it didn't have anything to do with  
14 tobacco, but they just cleaned their lives up to  
15 become a servant of God.

16 Q. Have you ever heard or read that if a smoker really  
17 cares not only for his life but his loved ones, he  
18 can indeed stop smoking?

19 A. No, I haven't heard that.

20 Q. During your husband's lifetime, would you have agreed  
21 with that statement?

22 MR. GAYLORD: I need to make a comment.

23 Off the record.

24 [Discussion off the record]

25 Q. Mr. Gaylord made a very pertinent and helpful

1           observation when we were off the record. I'm not  
2           asking in these questions whether you heard the exact  
3           words that I'm suggesting to you. I'm asking if you  
4           heard anything to this effect. So let me ask the  
5           question again.

6           Have you ever heard or read anything to the  
7           effect that if a smoker really cares not only for his  
8           life but for his loved ones, he can indeed stop  
9           smoking?

10          A. I have never heard those words, but I have used those  
11           words myself.

12          Q. And then I take it from that, that was your belief  
13           prior to your husband's death?

14          A. Yeah. I always told him, you know, I said, well, if  
15           you -- this is something that, you know, people say,  
16           and just say these things about if you love me, you  
17           won't do this or if you love me you won't do that.  
18           So, yes.

19          Q. What did the people from the congregation tell your  
20           husband about smoking in the months prior to his  
21           disfellowshipping?

22          A. Not anything that I can remember.

23          Q. Did anyone from the fellowship talk to him about his  
24           smoking?

25          A. Before he was disfellowshipped?

1 Q. Yes, ma'am.  
2 A. He -- about six months they gave him, talked to him  
3 about it, and then he was supposed -- you know, going  
4 to try to stop. And he couldn't stop, so that led up  
5 to his being disfellowshipped.

6 [Ms. Williams-Branch left the room]

7 Q. Who talked to him?

8 A. I don't remember.

9 Q. Was it an elder?

10 A. It was an elder, our elders.

11 Q. Do you remember who the elders were at that time?

12 A. No, I can't remember.

13 Q. Do you remember any of their names?

14 A. No.

15 MR. GAYLORD: Excuse me, Counsel. I'm going to  
16 ask for a break sometime in the next five minutes  
17 when you're at a comfortable spot.

18 MR. RANDLES: Yes. If you could give me about  
19 five minutes, that would be good.

20 Q. Did they come and talk to him at your house?

21 A. I can't remember. That's -- I really can't remember.

22 Q. Who brought his smoking to the attention of the  
23 congregation?

24 A. I don't remember that either, but I think -- I  
25 believe it was -- I don't remember. Was just -- I

1 can't remember, actually.

2 Q. Okay. Was it a family member?

3 A. I don't remember. I'm trying to think. I can't

4 remember. Anyway, it was that they knew -- I believe  
5 it might have came from a family member. I don't  
6 know.

7 Q. But you don't remember?

8 A. I don't remember. He was not associating with the  
9 organization, so they -- I -- I can't remember.

10 Q. Was there a formal hearing for his disfellowshipping?

11 A. I don't know.

12 Q. Well, was there a meeting where they said something  
13 to him about his smoking?

14 A. I can't remember that either.

15 Q. Were there any formal papers or documents that they  
16 said to you about his disfellowshipping?

17 A. No, because he wasn't -- he was -- as I said, he  
18 wasn't attending the meetings, so he was not informed  
19 personally that he was disfellowshipped. They  
20 probably read them off to the congregation and then I  
21 was there, so I told him, so that's it.

22 Q. So were you at the church --

23 MR. GAYLORD: Excuse me. I don't want to  
24 interrupt in the middle of a question, but I want to  
25 say I think you may be getting beyond the scope of

1 this continuation deposition. I'd be interested in  
2 hearing how you're not.

3 MR. RANDLES: I don't think I am. I've got  
4 about two more questions, if you'd just let me tidy  
5 this up.

6 MR. GAYLORD: You had discussions of

7 disfellowship pretty thoroughly before. Let's see  
8 where you go with this question.

9 Q. Were you at a meeting where they said, Mr. Williams  
10 has been disfellowshipped?

11 A. Yes.

12 Q. And did he have an official document to that effect?

13 A. They don't give documents to that statement.

14 Q. Did a judicial overseer or members of a judicial  
15 oversight committee hear your husband's case?

16 A. Hear his case?

17 Q. Hear his case or come to your church to discuss it.

18 A. No. They don't -- I don't know. They don't -- They  
19 didn't -- They don't have a meeting like, you know,  
20 discussed and things telling, you know, whether or  
21 not he's going to be disfellowshipped.

22 He had not been coming to the meetings, he was  
23 smoking and that -- They gave him a certain period of  
24 time to see whether or not he could stop. He  
25 couldn't stop, so he was just disfellowshipped. He

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1 was no longer a fellowship member.

2 Q. And was smoking the only reason they gave for his  
3 disfellowshipping?

4 A. Yes, at that time. Being inactive and not coming to  
5 the meetings, of course.

6 MR. RANDLES: Let's go off the record.

7 [Recess: 9:57 - 10:16]

8 MR. RANDLES: I don't have any more questions.

9

11 BY-MR. GAYLORD:

12 Q. Mrs. Williams, you were asked a number of questions  
13 about your husband Jessie Williams' reading of  
14 literature from the Jehovah's Witness society before  
15 and after the time of his disfellowship.

16 A. Yes.

17 Q. Do you remember that general subject? You've  
18 indicated that there was a time before he was  
19 disfellowshipped when he read the publications that  
20 came to your house from cover to cover?

21 A. Yes.

22 MR. RANDLES: Object to the form of the  
23 question.

24 A. Before, yes.

25 Q. I'm just reminding you of the subject at this point.

1 A. Okay.

2 Q. What can you explain to us was the way he would read  
3 any of that literature after the time of his  
4 disfellowship, if he read any of it?

5 A. Well, I believe that he was reading it because I  
6 would put articles out for him, like I would lay them  
7 in the bathroom or on the kitchen table for him to  
8 read. And, you know, that's the only way I know that  
9 I thought that he was reading them. I don't know for  
10 sure that he read them, but then that's how I left  
11 them for him.

12 Q. Okay. So when you've indicated that he was not

13 reading from cover to cover but did continue to read  
14 some of the publications until the time of his death,  
15 you're referring to a circumstance where you would  
16 place things out for him to find and read?

17 MR. RANDLES: Object to the form.

18 A. Yes, that's true.

19 MR. GAYLORD: That's all.

20 MR. RANDLES: I have no more questions.

21 [Deposition adjourned at 10:18]

22 [N.B.: As a matter of firm policy, the Stenographic  
23 notes of this transcript will be destroyed 3 years  
24 from the date appearing on the following certificate,  
25 unless notice is received otherwise from any party or

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1 counsel hereto on or before said date of the 2nd day  
2 of September, 2001.]

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C E R T I F I C A T E

I, Lisa J. Pace, a Certified Shorthand Reporter for the State of Oregon, do hereby certify that pursuant to stipulation of counsel hereinbefore set out, MAYOLA WILLIAMS personally appeared before me at the time and place mentioned in the caption herein; that the witness was by me first duly sworn on oath, and examined upon oral interrogatories propounded by counsel; that said examination, together with the testimony of said witness, was taken down by me in stenotype and thereafter reduced to typewriting; and that the foregoing transcript, Pages 130 to 167, both inclusive, constitutes a full, true and accurate record of said examination of and testimony given by said witness, and of all other oral proceedings had during the taking of said deposition, and of the whole thereof.

18 Witness my hand at Oregon City, Oregon,

19                   this \_\_\_\_ day of September, 1998.

20

21

22                   Lisa J. Pace

23                   Certified Shorthand Reporter

24                   Certificate No. 90-0102

25